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Attorney Docket No.: 24024-506

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Peled, et al.

SERIAL NUMBER:

10/767,064

**EXAMINER:** 

Not Yet Assigned

FILING DATE:

January 29, 2004

ART UNIT:

1642

For:

EX-VIVO EXPANSION OF HEMATOPOIETIC STEM CELL

POPULATIONS IN MONONUCLEAR CELL CULTURES

# Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- 1. Information Disclosure Statement (2 pages), in duplicate;
- 2. Modified Form 1449/PTO (4 pages), in duplicate;
- 3. Copies of Cited References: A1-8; B1-7; C1-99; and
- 4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 24024-506. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529

Attorney(s) for Applicants

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY and POPEO, P.C.

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Customer no.: 30623 Tel: (617) 542-6000

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Date: June 29, 2004

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#### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANT:

Peled, et al.

U.S.S.N.:

10/767,064

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 24024-506.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529

Attorney(s) for Applicants

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY and POPEÓ, P.C.

Address all written correspondence to

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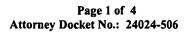
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Modified F	Form 144	9/PTO				Application Number	10/767,0	064		
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					u.	S. PATENT DOCUMENTS	1 - 1 - 1			
Exam	Cite	U.S. F	Patent	Issue Date		ame of Patentee(s) or Applicant(s)	Class	Sub	Filing I	Date
Initials	No.	Docu	ment No.					Class		opriate
	A1	4,642	,120	02/10/87	N	evo, et al.	623	16		
	A2	5,486	,359	01/23/96	C	aplan, et al.	424	93.7		
	A3	5,654	,186	08/05/97	C	erami, et al.	435	325		
	A4	5,716	,411	02/10/98	0	rgill et al.	623	15		
	A5	5,716	,616	02/10/98	P	rockop, et al.	424	93.7		
	A6	5,736	,396	04/07/98	В	ruder, et al.	435	366	L	
							<u> </u>			
Exam	Cite	1118	Published	U.S. I Published		SHED APPLICATION DOCUMENTS ame of Patentee(s) or Applicant(s)	Class	Sub	Em	ng Date
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	17	2002	0444704 84	00/00/00		: A al	424	93.2	App	ropriate
	A7		0114784 A1	1	-	i, et al.	424	93.7		
	A8	2002/	0159981A1	10/31/02	+	eled, et al.	424	93.7		
	<u> </u>	<u> </u>		<u> </u>	EOD	EIGN PATENT DOCUMENTS		l		
Exam	Cite	Forei	gn Patent Do	cumont I		e of Patentee(s) or Applicant(s)	Date of		Trans	slation
Initials	No.	Office	•	Cument	Мани	of Patentee(s) of Applicant(s)	Publicati	on	Yes	No
	B1	wo	97/31647		IMCL	ONE SYSTEMS INCORPORATED	09/04/19	97		
	B2	wo	97/33978		LIFE	TECHNOLOGIES, INC	09/18/19	97	ļ	
	В3	wo	98/25634			ASIT MEDICAL RESEARCH VICES & DEVELOPMENT COMPANY	06/18/98			
	B4	wo	99/40783		GAM	IDA CELL LTD.	08/19/99			
	B5	wo	00/18885		GAM	IDA CELL LTD.	04/06/00			
	В6	wo	03/06239		ARE	NA PHARMACEUTICALS, INC.	07/31/03			
	B7	wo	03/06240	\$ A1	GAM	IDA-CELL LTD.	07/31/03			<u> </u>
	<u> </u>						<u> </u>			<u> </u>
			O1	HER PRIOR	ART	- NON PATENT LITERATURE DOCUM	ENTS	. <u> </u>		
Exam Initials	Cite No.	—				ppriate), Publication, Volume, Page(s), D	ate, Etc.			
	C1	Alt	er, B. P., <i>Ex</i>	oer. Hematol	., 7(5):	200-209 (1979).				
	C2			<del></del>		57-461 (1994).				<del></del>
	СЗ			utr., 123(6):9					_	
	C4					. USA, 89:2804-2808 (1992).				
	C5					1099-1104 (1995).				
	C6					i. USA, 94:5320-5325 (1997).		-		
ĺ	C7	Bla	u, et al., <i>Blo</i>	od, 81(1): 22	7-233	(1993).				

Express Mail Label: EV 392155857 US Date of Deposit: June 29, 2004

Page 2 of 4 Attorney Docket No.: 24024-506

	C8	Borthwick, et al., J. Lab. Clin. Med., 95(4):575-580 (1980).
	C9	Brazelton, et al., <i>Science</i> , 290:1775-1779 (2000).
	C10	Briddell, et al., <i>J. Hematother.</i> , 6:145-150 (1997).
	C11	Brugger, et al., <i>N. Engl. J. Med.</i> , 333(5):283-287 (1995).
	C12	Cable, et al., Hepatol., 26(6):1444-1457 (1997).
	C13	ChemMaster Safety Data Sheet, pp 1-4 (1999).
	C14	Cicuttini, et al., <i>Blood</i> , 80(1):102-112 (1992).
	C15	Colter, et al., <i>J. Hematother.</i> , 5(2):179-184 (1996).
<b> </b>	C16	Cote, et al., <i>Blood</i> , 100(7):2586-2596 (2002).
	C17	De Bruyn, et al., <i>Stem Cells</i> , 13:281-288 (1995).
	C18	Dexter, et al., <i>J. Cell Physiol.</i> , 91(3):335-344 (1977).
	C19	Dubois, et al., J. Pediatr. Gastroenterol. Nutr., 10:77-81 (1990).
	C20	Duncan, et al., Mol. Med. Today, 3(12):554-561 (1997).
	C21	Eipers, et al., <i>Blood</i> , 86(10):3754-3762 (1995).
	C22	Emerson, S. G., <i>Blood</i> , 87(8):3082-3088 (1996).
	C23	Ferbeyre, G., <i>Leukemia</i> , 16:1918-1926 (2002).
	C24	Fisch, et al., <i>Eur. J. Immunol.</i> , 26:595-600 (1996).
	C25	Freedman, et al., <i>Nat. Med.</i> , 2(1):46-51 (1996).
	C26	Freshney, R. I., "Culture of Animal Cell, A Manual of Basic Technique", John Wiley & Sons, Third Edition, pp 309-311 and 327-328.
	C27	Grenda, et al., <i>Blood</i> , 100(9):3221-3228 (2002).
	C28	Heslop, et al., Nat. Med., 2(5):551-555 (1996).
	C29	Hirase, et al., Ascta Haematol, 87(4):195-197 (1992).
	C30	Hottinger et al., Eur. J. Neurosci., 9:1548-1551 (1997).
	C31	Kawa, et al., Pigment Cell Res., 13(Suppl. 8):73-80 (2000).
	C32	Köhler, et al., Stem Cells, 17(1):19-24 (1999).
	C33	Kohroki, et al., <i>Leukemia Res.</i> , 22(5):405-412 (1998).
	C34	Koller, et al., <i>Blood</i> , 82(2):378-384 (1993).
	C35	Krause, et al., Cell, 105:369-377 (2001).
	C36	Lagasse, et al., Nat. Med., 6(11):1229-1234 (2000).
	C37	Lange, et al., Leukemia, 10(6):943-945 (1996).
	C38	Lassila, et al., Cell. Immunol., 122(2):319-328 (1989).
	C39	Lau, et al., J. Biol. Chem., 249(18):5878-5884 (1974).
	C40	Lebkowski, et al., Blood Cells, 20:404-410 (1994).
	C41	Leslie, et al., Blood, 92(12):4798-4807 (1998).
	C42	Madlambayan, et al., J. Hematother. Stem Cell Res., 10:481-492 (2001).
	C43	McNiece, et al., <i>Blood</i> , 74(1):110-114 (1989).
	C44	McNiece, et al., J. Hematother., 7(5):457-461 (1998).
	C45	Metha, et al., Blood, 89(10):3607-3614 (1997).
	C46	Mezey, et al., Science, 290:1779-1782 (2000).
	C47	Migliaccio, et al., <i>Blood</i> , 79(10):2620-2627 (1992).
	C48	Miller, et al., Proc. Natl. Acad. Sci. USA, 94:13648-13653 (1997).
	C49	Moore, et al., <i>Blood Cells</i> , 20:468-481 (1994).
	C50	Morimoto, et al., <i>Biochem. Int.</i> , 28(2):313-321 (1992).
	C51	Morrison, et al., Immunity, 1:661-673 (1994).

Express Mail Label: EV 392155857 US Date of Deposit: June 29, 2004 Page 3 of 4 Attorney Docket No.: 24024-506

	CEO	Atamiana at al. Davida mant 404.4000.4000(4007)
<b>  </b>	C52	Morrison, et al., Development, 124:1929-1939 (1997).
	C53	Mueller, et al., <i>Blood</i> , 100(3):998-1007 (2002).
	C54	Muench, et al., Exp. Hematol., 20(3):339-349 (1992).
	C55	Munshi, et al., J. Biol. Chem., 277(51):49453-49458 (2002).
	C56	Murray, et al., Clin. Exp. Immunol., 53:744-749 (1983).
	C57	Osawa, et al., Science, 273:242-245 (1996).
	C58	Palmiter, R. D., <i>Proc. Natl. Acad. Sci. USA</i> , 91(4):1219-1223 (1994).
	C59	Peled, et al., Brit. J. Hematol., 116:655-661 (2002).
	C60	Peled, et al., <i>Blood</i> , <b>Abstract #2551 only</b> , 40 <sup>th</sup> Annual Meeting of American Society of Hematology, Miami, FL,
	-	92(10 Suppl. 1 part 1-2):618A-619A (1998).
	C61	Percival, S. S., <i>J. Clin. Nutr.</i> , 67(Suppl):1064S-1068S (1998).
	C62	Percival, S. S., Nutr. Rev., 53(3):59-66 (1995).
	C63	Percival, et al., J. Nutr., 122(12):2424-2429 (1992).
	C64	Perrotti, et al., Mol. Cell. Biol., 15(11):6075-6087 (1995).
	C65	Petersen, et al., <i>Science</i> , 284:1168-1170 (1999).
	C66	Petti, et al., <i>Blood</i> , 100(3):1065-1067 (2002).
	C67	Petzer, et al., J. Exp. Med., 183:2551-2558 (1996).
	C68	Piacibelio, et al., <i>Blood</i> , 89(8):2644-2653 (1997).
	C69	Protti, et al., Cancer Res., 56:1210-1213 (1996).
	C70	Puccetti, et al., Cancer Res., 62:7050-7058 (2002).
	C71	Punzel, et al., <i>Leukemia</i> , 13(1):92-97 (1999).
	C72	Purdy, et al., J. Hematother., 4(6):515-525 (1995).
	C73	Rosenberg, et al., J. Nat. Cancer Inst., 85(8):622-632 (1993).
	C74	Ross, et al., Analytical Chem., 41(13):1900-1902 (1969).
	C75	Sandstrom, et al., <i>Blood</i> , 86(3):958-970 (1995).
	C76	Schechter, et al., Mol. Basis Blood Dis., 179-218 (1987).
	C77	Shimizu, et al., Pediatr Int., 41:419-422 (1999).
	C78	Sieff, et al., <i>Blood</i> , 60(3):703-713 (1982).
	.C79	Siena, et al., Exper. Hematol., 23:1463-1471 (1995).
	C80	Sigurdsson, et al., J. Biol. Chem., 278(47):46199-46202 (2003).
	C81	Simon, et al., Am. J. Hematol., 28(3):181-183 (1988).
	C82	Sprangrude, et al., <i>Science</i> , 241:58-62 (1988).
	C83	Suda, et al., No To Hattatsu 25(5):429-434 (1993) English Abstract Only.
	C84	Tashiro-Itoh, et al., <i>Liver</i> , 17(6):300-306 (1997).
	C85	Tetraethylene Pentamine DOD Hazardous Material Information; 6810-00F017710 (1991).
	C86	TheMerk Index, Merc & Co., Inc., USA, Tenth Edition, p. 3742 (1983).
	C87	Thiotepa Product Identification Sheet; THIOTEPA; EM Science, 6505-01-047-3872 (1990).
<u> </u>	C88	Trientine (Systemic), MEDLINEplus Drug Information.
	C89	Triethylenetetramine Product Identification Sheet; TETA, TX1235; EM Science, 6810-00N052879 (1991).
	C90	Ueno, et al., Leukemia. Res., 22(6):517-525 (1998).
	C91	Van Epps, et al., <i>Blood Cells.</i> , 20:411-423 (1994).
	C92	Verfaillie, et al., <i>Blood</i> , 79(11):2821-2826 (1992).
	C93	Vilensky et al., Ann. Emergency Med., 41:378-383 (2003).
	C94	Wasa, et al., <i>J. Parente. Enteral Nutr.</i> , 18(3):190-192 (1994).
	C95	Weissmann, Science, 287:1442-1446 (2000).

Express Mail Label: EV 392155857 US Date of Deposit: June 29, 2004 Page 4 of 4 Attorney Docket No.: 24024-506

C96	Williams, et al., <i>Blood</i> , 87(5):1687-1691 (1996).
C97	Zidar, et al., Am. J. Hematol., 3:177-185 (1977).
C98	Zimmerman, et al., J. Hematother., 5:247-253 (1996).
C99	Zon, L., <i>Blood</i> , 86(8):2876-2891 (1995).

A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_\_, filed \_\_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Signature Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 1928684v1